

UNITED STATES DISTRICT COURT

for the

Western District of VirginiaCLERK'S OFFICE U.S. DISTRICT COURT
AT ROANOKE VA. - FILED

MAR 26 2008

BY: JOHN F. CORCORAN, CLERK
DEPUTY CLERK

United States of America)

v.)

Jason Isaac Johnson)

Case No: 7:03CR00058USM No: 10022-084Date of Previous Judgment: August 29, 2003)

(Use Date of Last Amended Judgment if Applicable))

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 97 months is reduced to 74 months*.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Previous Offense Level: 27Amended Offense Level: 25Criminal History Category: IIICriminal History Category: IIIPrevious Guideline Range: 87 to 108 monthsAmended Guideline Range: 70 to 87 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

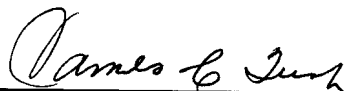
- ☒ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☒ Other (explain):

*As the concurrent sentences imposed on Counts One and Three were both calculated under the crack cocaine sentencing guidelines, pursuant to U.S.S.G. § 5G1.2(b), the court hereby reduces each of the two sentences to 74 months imprisonment, concurrent to each other, pursuant to 18 U.S.C. § 3582(c) and the 2007 retroactive amendments to the crack cocaine sentencing guidelines.

III. ADDITIONAL COMMENTS

The factors listed in 18 U.S.C. § 3553(a) having been considered, the government's objections to the reduction are overruled.

Except as provided above, all provisions of the judgment dated 08/29/2003 shall remain in effect.

IT IS SO ORDERED.Order Date: March 26, 2008


Judge's signature

Effective Date: _____
 (if different from order date)

James C. Turk, Senior United States District Judge
 Printed name and title